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November 4, 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 BRANDON JON MARQUEZ,

10 Defendant.

2:20-CR-279-KJD-BNW

Preliminary Order of Forfeiture

11 This Court finds Brandon Jon Marquez pled guilty to Count One of a Two-Count
12 Criminal Indictment charging him in Count One with receipt of child pornography in
13 violation of 18 U.S.C. § 2252A(a)(2). Criminal Indictment, ECF No. 1; Change of Plea, ECF
14 No. 42; Plea Agreement, ECF No. 43.

15 This Court finds Brandon Jon Marquez agreed to the forfeiture of the property set
16 forth in the Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the
17 Criminal Indictment. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 19;
18 Change of Plea, ECF No. 42; Plea Agreement, ECF No. 43.

19 This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of
20 America has shown the requisite nexus between property set forth in the Plea Agreement,
21 the Bill of Particulars, and the Forfeiture Allegation of the Criminal Indictment and the
22 offense to which Brandon Jon Marquez pled guilty.

23 The following property is any visual depiction described in 18 U.S.C. § 2252A, or
24 any book, magazine, periodical, film, videotape, or other matter which contains any such
25 visual depiction, which was produced, transported, mailed, shipped or received in violation
26 of 18 U.S.C. § 2252A(a)(2) and any property, real or personal, used or intended to be used to
27 commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) or any property traceable
28 to such property and is subject to forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3):

1. MacBook Pro laptop, bearing S/N W89390UU66E;
 2. Apple iPad 5th Generation, bearing S/N GCGVNR6UHP9X;
 3. Western Digital Easy Store 4TB hard drive, bearing S/N WX91D879JTSZ;
 4. Western Digital 1TB My Passport Ultra hard drive, bearing S/N
WXN1AA325501; and
 5. Apple iPhone 5C 16GB, bearing S/N FFMMQ025FNDH
- (all of which constitutes property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Brandon Jon Marquez in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, which

petition shall be signed by the petitioner under penalty of perjury under 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's right, title, or interest in the property, the time and circumstances of the petitioner's acquisition of the right, title or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of the publication on the official internet government forfeiture site, www.forfeiture.gov.


IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Daniel D. Hollingsworth
Assistant United States Attorney
Misty L. Dante
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record.

DATED November 4, 2022.



KENT J. DAWSON
UNITED STATES DISTRICT JUDGE